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CITY CLERK

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CINDY MURRAY

ORDINANCE NO. 2023-05

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF TIPPECANOE COUNTY,  
INDIANA, TO REZONE CERTAIN REAL ESTATE FROM I3 TO I2

**BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE, INDIANA:**

Section I: The Unified Zoning Ordinance of Tippecanoe County, Indiana being a separate ordinance and part of the Municipal Code of Lafayette, Indiana is hereby amended to rezone the following described real estate situated in Wea Township, Tippecanoe County, Indiana, to-wit:

See Attachment Exhibit A

Section II: The above described real estate should be and the same is hereby rezoned  
from I3 to I2.

Section III: This Ordinance shall be in full force and effect from and after its adoption.

**PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF LAFAYETTE,  
INDIANA, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.**

\_\_\_\_\_, Presiding Officer

ATTEST:

\_\_\_\_\_  
Cindy Murray, City Clerk

Presented by me to the Mayor of the City of Lafayette, Indiana, on the \_\_\_\_\_ day  
of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Cindy Murray, City Clerk

This Ordinance approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Tony Roswarski, Mayor

Attest:

\_\_\_\_\_  
Cindy Murray, City Clerk

## **Exhibit A**

Lots Numbered One (1), Two (2), Three (3), Four (4), OutlotsA and OutlotC of Wiers Subdivision, an addition to Wea Township, City of Lafayette, Tippecanoe County, Indiana as per Plat thereof recorded April 29, 2013, in Plat Book 98, as Instrument No. 201313009446, in the Office of the Recorder of Tippecanoe County, Indiana.



## Area Plan Commission of Tippecanoe County, Indiana

January 19, 2023  
Ref. No.: 2023-009

Lafayette Common Council  
20 North 6<sup>th</sup> Street  
Lafayette, Indiana 47901

### CERTIFICATION

RE: **Z-2873 WHISKIR, LLC (I3 to I2):**

Petitioner is requesting rezoning of four lots and two outlots located at the northeast corner of Maple Point Drive and Concord Road, specifically, 2725 Concord Road, and 3410, 3420, and 3430 Maple Point Drive in Lafayette, Wea 3 (NE) 22-4.

Dear Lafayette Common Council:

As Secretary to the Area Plan Commission of Tippecanoe County, I do hereby certify that at a public hearing held on January 18, 2023, the Area Plan Commission of Tippecanoe County voted 16 yes – 0 no on the motion to rezone the subject real estate from I3 to I2. Therefore, the Area Plan Commission of Tippecanoe County recommends to the Lafayette Common Council that the proposed rezoning ordinance be APPROVED for the property described in the attachment.

Public Notice has been given that this petition will be heard before the Lafayette Common Council at its February 6, 2023 regular meeting. Petitioners or their representatives must appear to present their case.

Sincerely,

David Hittle  
Executive Director

DH/kl

Enclosures: Staff Report & Ordinances

cc: Ron Whistler, WHISKIR, LLC  
Robert T. Corbin, KARMA Enterprises, LLC  
Ryan Munden, Reiling Teder & Schrier, LLC  
Jeromy Grenard, Lafayette City Engineer

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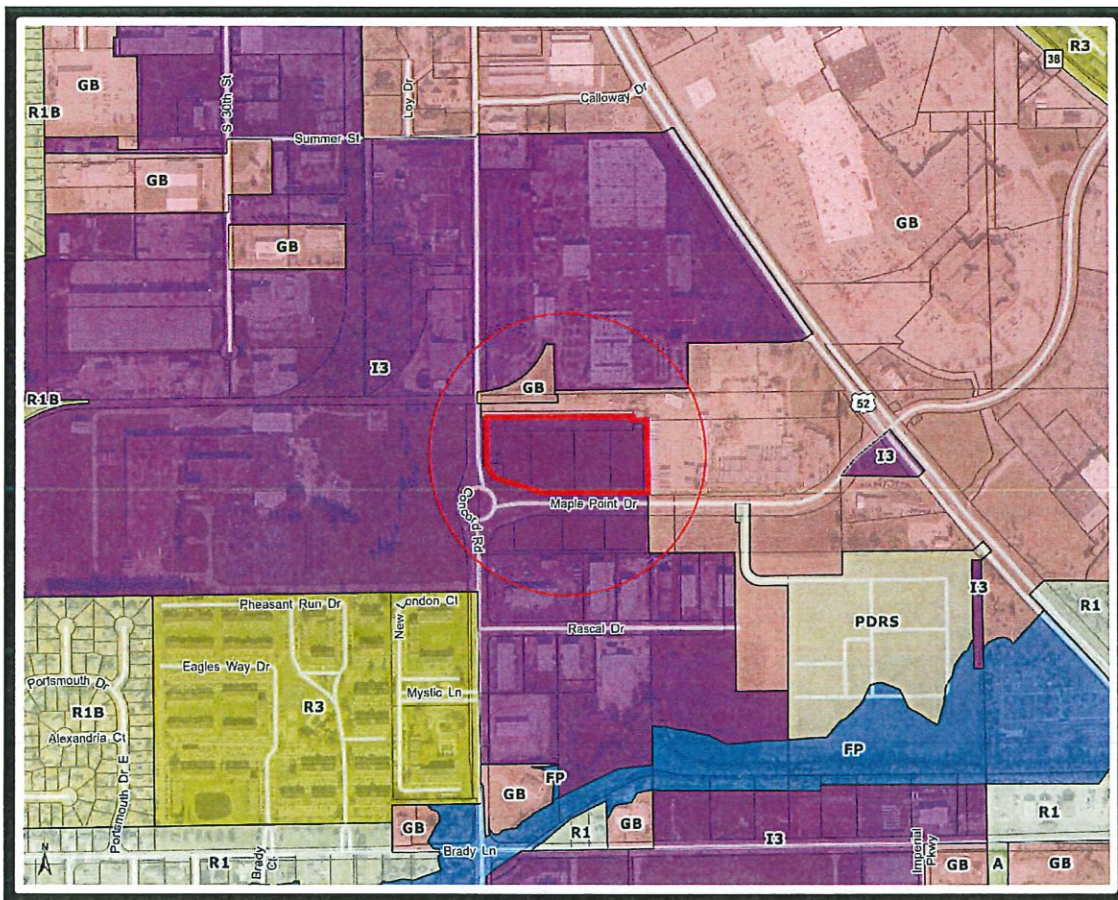
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**Z-2873**  
**WHISKIR, LLC**  
**(I3 to I2)**

**STAFF REPORT**  
**January 12, 2023**

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**REQUEST MADE, PROPOSED USE, LOCATION:**

Petitioner, WHISKIR, LLC, who is part owner, with consent of the other owner of the subject property (KARMA Enterprises LLC), represented by Ryan Munden of Reiling, Teder & Schrier, is requesting the rezoning of the four lots and two outlots of the Weirs Subdivision from I3 to I2. The lots are all unimproved, except for a recently constructed building on lot 4. The land is commonly known as 2725 Concord Road and 3410, 3420, and 3430 Maple Point Drive, and is located at the northeast corner of Concord Road and Maple Point, Lafayette, Wea 3 (NE) 22-4.

**ZONING HISTORY AND AREA ZONING PATTERNS:**

The oldest zoning maps available show this land and its surroundings with Industrial zoning, which became I3 with the passage of the *Unified Zoning Ordinance* in 1998. Over the years, some properties in the area have been rezoned to GB, particularly to the immediate east and north of the property (Z-2706 and Z-2537).

**AREA LAND USE PATTERNS:**

The subject property was final platted as the Weirs Subdivision in 2013. It is mostly unimproved, except for a recently constructed building on lot 4. The land to the east has been used for outdoor storage for many years. North of the site is Oerlikon Fairfield Manufacturing. Rea has a manufacturing plant immediately west of the property. In the vicinity of the property are an assortment of industrial and commercial businesses.

**TRAFFIC AND TRANSPORTATION:**

This land is located along Concord Road (classified as an urban secondary arterial) and Maple Point Drive (an urban local road). Access to the lots is from both roads. Driveway permits would be reviewed by the City of Lafayette.

**ENVIRONMENTAL AND UTILITY CONSIDERATIONS:**

The site is served by city utilities. Bufferyards are required between I2 and GB zoning.

**STAFF COMMENTS:**

With few exceptions, the triangular wedge of land between Concord and Sagamore Parkway has long been industrial in land use, actually extending further north along Sagamore Parkway all the way to Kossuth Street. Another wedge of land located to the east between Sagamore Parkway and SR 38 has been commercial in land use for many decades. The industrially zoned portion, starting with Wabash (formerly Wabash

National) and Arconic (formerly Alcoa) and extending south all the way to CR 450 S, is quite large. The industries mentioned, both located north of Teal, are firmly established with viable futures. South of Teal, the industrial uses appear to be more in flux, as more and more GB zoning and non-industrial uses proliferate in the area.

For this reason, and especially given the GB zoning found immediately to the east of the property, I2 zoning would be appropriate to help phase-in the transition between commercial and heavier industrial uses. Additionally, because of the site's proximity to a major commercial area and the large size of the industrially zoned area surrounding it, staff can support this request.

**STAFF RECOMMENDATION:**

Approval